

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:00CV33**

**ELSIE GODFREY, Individually and as Executrix of )  
The Estate of WILLIE C. GODFREY, Deceased, )  
JAMES E. AMMONS; )  
THOMAS M. ARD, and wife MYRNA F. ARD; )  
RICHARD D. DAY, and wife DIANE M. DAY; )  
CECIL F. FOSTER, and wife MATTIE D. FOSTER; )  
RICHARD L. ALLEN and wife DEMENTRA K. ALLEN, )  
SARAH JACQUELYN BENNETT, Individually and as )  
Personal Representative of the Estate of )  
JAMES BENNETT, Deceased, )  
WILLIAM S. BLACK, and wife VICKI BLACK; )  
WILLIAM H. BRADLEY and wife CLYDEAN BRADLEY, )  
JOHNNIE BRATTEN and wife KATHLEEN M. BRATTEN, )  
KENNETH BROMELOW, )  
ALLEN S. DAVIS, )  
HERBERT GIBSON and wife KAY M. GIBSON, )  
JOHN K. GREENE and BETTY C. GREENE, )  
HOMER M. GUFFEY and wife IVA T. GUFFEY, )  
HOWARD R. GUFFEY, and wife GAIL E. GUFFEY; )  
JAMES C. HENLINE and wife LOUISE W. HENLINE, )  
BOBBY R. HANCOCK and wife ELNA F. L. HANCOCK, )  
SHELBY HEWELL; )  
DENNIS R. HICKS and wife PATRICIA J. HICKS, )  
LISA GAIL HILL, Administrator of the Estate of Norman H. )  
Hill, Deceased, and CATHERINE C. HILL; )  
JOHN D. HILTON and wife BARBARA HILTON, )  
EDGAR EUGENE HOMAN, and wife VIRGINIA LEVELL )  
ROBERTS; )  
JOHN BRANNON BRIGHT, Executor of the Estate of )  
Jimmy D. Hodge, Deceased, and NANCY F. HODGE, )  
HENRY A. HOUGHTON, Administrator of the Estate of )  
HENRY M. HOUGHTON, Deceased, )  
JOHN F. HUMPHRIES, )  
RONNIE L. INGLE and wife CHRISTA M. INGLE, )  
GARY LAVENDER; )  
RAY B. KETCHIE and wife PEGGY E. KETCHIE, )  
CAROL F. MERCER, Individually and as Administrator of )  
the Estate of Billy Mercer, Deceased; )  
LEWIS KOEHLER, and wife PAMELA L. KOEHLER, )  
PATRICIA MAUNEY CRAFT, Administrator of the Estate of )**

Eunice Coleen Mauney, Deceased, and LEON B. MAUNEY;	)
EDWARD R. MILLS, and wife SANDRA L. MILLS,	)
AGNES M. MIXER, Individually and as Executrix of the	)
Estate of Carl M. Mixer, Deceased;	)
HARGET FRANKLIN MOORE, and wife MAMIE	)
ELIZABETH MOORE;	)
NEVERT L. NATION, and wife DELLA B. NATION;	)
ROY RAMSEY; LISA J. SPLAWN;	)
NORMA R. STARNES, Individually and as Executrix of the	)
Estate of Nick W. Starnes, Deceased;	)
JOHN D. TEAGUE, and wife DOROTHY LEE PHILLIPS	)
TEAGUE;	)
HAYWARD B. MCATEER and wife JEANNETTE R.	)
MCATEER,	)
SYLVIA G. MCCRARY and husband JOHN MCCRARY,	)
LEE W. MCKEOWN, SR. and wife FRANKIE MCKEOWN,	)
JON ANDREW PARRISH;	)
KELLY D. PURSLEY and wife SANDRA S. PURSLEY,	)
ALBERT C. SMITH, and wife SHIRLEY F. SMITH;	)
THOMAS C. TIPTON,	)
SARAH K. WALTERS and husband JAMES B. WALTERS	)
FELIX D. WRIGHT and wife BESSIE WRIGHT,	)
	)
Plaintiffs	)
	)
v.	)
	)
A. W. CHESTERTON, INC., <i>et al.</i> ,	)
	)
Defendants.	)
	)

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### **ORDER OF DISMISSAL**

**THIS MATTER** is before the Court on the consent of the captioned Plaintiffs and Defendant, Rapid American Corporation, to dismiss without prejudice, all claims of said Plaintiffs against Rapid American Corporation.

It appearing that all parties have consented to the relief requested herein,  
**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the claims of each of the above-named Plaintiffs against Defendant, Rapid American Corporation, are **HEREBY**

**DISMISSED WITHOUT PREJUDICE**, and this matter is hereby terminated as to  
Defendant Rapid American Corporation.

Signed: July 9, 2007



Lacy H. Thornburg  
United States District Judge



WE MOVE:

WE CONSENT:

s/James D. Gandy, III

s/ Janet Ward Black

James D. Gandy, III

Janet Ward Black, Esquire

NC Bar #12869

Pierce, Hems, Sloan & McLeod, LLC

Ward Black Law

321 East Bay Street

208 West Wendover Avenue

Charleston, SC 29413

Greensboro, NC 27401

[trippgandy@phsm.net](mailto:trippgandy@phsm.net)  
[m](http://www.phsm.net)

[jwblack@wardblacklaw.co](mailto:jwblack@wardblacklaw.co)

Attorney for Defendant  
Attorneys for Plaintiffs  
Rapid American Corporation